

OFFICE OF THE DIRECTOR
DEPARTMENT OF MOTOR VEHICLES
P.O. BOX 932328
SACRAMENTO, CA 94232-3280



TITLE 13: DEPARTMENT OF MOTOR VEHICLES

NOTICE IS HEREBY GIVEN

The Department of Motor Vehicles (department) proposes to amend Section 180.00 in Article 3.1, Chapter 1, Division 1, Title 13 of the California Code of Regulations, relating to Special Interest License Plates.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than 5:00 p.m., fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested party or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 p.m., **June 26, 2017**, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulation.

AUTHORITY AND REFERENCE

The department proposes to adopt this regulation under the authority granted by Vehicle Code section 1651, in order to implement, interpret, or make specific Vehicle Code sections 1651, 1652 and 5002.6.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Current state law authorizes the department to establish and prescribe forms necessary to facilitate licensing and registration transactions. The information solicited on departmental forms allows the department to, among other things, verify the appropriate records are being updated and ensure the correct plates, cards, placards, documents or other departmental indicia are being issued. The department's regulations identify forms by name, form number and revision date, to ensure interested parties are aware of the current version of that form that is to be submitted to the department at the time of application. In many cases, applicants can expedite their field office visit by printing the forms at home from the department's website and bringing them to the department already completed. Because so many departmental forms are available online, it is necessary for clarity that the regulations identify the correct revision date.

Section 180.00 in Article 3.1 incorporates by reference the Application for Duplicate or Substitute, form REG 156. This is the department-designated form used by applicants requesting duplicate or substitute plates, documents, or stickers. Current regulation identifies the revision date of the form REG 156 as 4/1992. The 1992 version of the form was limited to requesting duplicate or substitute license plates, vehicle and vessel stickers, disabled person placards and

identification cards, registration cards and vessel certificates of number. The 1992 version of the form also allowed the applicant to indicate whether the replacement is due to the original being lost or stolen, destroyed or mutilated, not received, or reassigned. Since then, the REG 156 has underwent extensive amendments to allow for the duplicate or substitute issuance of many other plates, documents, and stickers that are currently issued by the department.

PROBLEMS THIS DEPARTMENT INTENDS TO ADDRESS AND BENEFITS ANTICIPATED FROM THE REGULATORY ACTION

The form REG 156 is one of the more commonly used departmental forms necessary to facilitate the process of replacing several types of plates, placards, cards and other documents. An outdated form in regulation could cause unnecessary confusion to affected applicants. This amendment will ensure applicants are aware of the current, valid version of the form REG 156 prior to their office visit.

The department anticipates no significant benefits such as the protection of public health and safety, worker safety, or the environment.

COMPARABLE FEDERAL STATUTES OR REGULATIONS

The department conducted a review of comparable federal regulations and statutes and has determined that no other regulations address the issuance, replacement or duplication of department-issued plates, placards, cards or registration related documents.

CONSISTENCY AND COMPATIBILITY WITH OTHER STATE REGULATIONS

The department conducted a review of comparable state regulations and has determined that no other regulations address the issuance, replacement, or duplication of department-issued plates, placards, cards, or registration related documents. Therefore, this proposed action is neither inconsistent nor incompatible with existing state regulations.

DOCUMENTS INCORPORATED BY REFERENCE

The following document is incorporated by reference:

- Application for Replacement Plates, Stickers, Documents, form REG 156 (Rev. 11/2016)

This document will not be published in the California Code of Regulations because it would be impractical and cumbersome to do so; however, the document is readily available to interested parties by contacting the department representative identified below.

ECONOMIC AND FISCAL IMPACT DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- *Cost or Savings to Any State Agency:* None.
- *Other Non-Discretionary Cost or Savings to Local Agencies:* None.

- *Costs or Savings in Federal Funding to the State:* None.
- *Cost to any local agency or school district requiring reimbursement pursuant to Gov. Code section 17500 et seq.:* None.
- *Cost Impact on Representative Private Persons or Businesses:* The department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- *Effects on Housing Costs:* None.
- *Local Agency/School District Mandates:* The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- *Small Business Impact:* This regulation may impact small business.
- *Significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states:* This action is unlikely to have any significant statewide adverse economic impact on businesses as the amendments only update the revision date of a departmental form.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The department has considered the economic impact to this proposed action and has determined that there are no impacts to, 1) the creation or elimination of jobs within California, 2) the creation or elimination of existing businesses within California, 3) the expansion of businesses currently doing business in California, or 4) as stated above under the Informative Digest/Policy Statement Overview, the benefits of this regulation will ensure the public is knowledgeable as to the appropriate document needed to facilitate their replacement transaction. Identifying the appropriate form in regulation will allow the customer to complete the application prior to their office visit which will streamline the issuance process and save the customer time.

PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

ALTERNATIVES CONSIDERED

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be effective as and less burdensome to affected private persons than the proposed action, or would be more cost-

effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Randi Calkins, Regulations Analyst
Department of Motor Vehicles
Legal Affairs Division
P.O. Box 932382, MS C-244
Sacramento, CA 94232-3820

Any inquiries or comments concerning the proposed rulemaking action requiring more immediate response may use:

Telephone: (916) 657-8898
Facsimile: (916) 657-6243
E-Mail: LADRegulations@dmv.ca.gov

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

Shelly Johnson Marker, Chief of Staff
Telephone: (916) 657-6469

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an Initial Statement of Reasons for the proposed regulatory action, and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the Express Terms of the proposed regulatory action using underline or italics to indicate additions to, and strikeout to indicate deletions from the California Code of Regulations.

The contact person identified in this notice shall also make available to the public, upon request, the Final Statement of Reasons and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, Initial Statement of Reasons, and Express Terms) may be accessed at <https://www.dmv.ca.gov/portal/dmv/detail/about/lad/regactions>.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made

which are sufficiently related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Request for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.